

Trusting Him who is able to go with Governor Clements and Lieutenant Governor Hobby, and remain with us, and be everywhere for good, let us confidently hope that all will yet be well. Amen.

Speaker Clayton announced that the Longhorn Band of The University of Texas at Austin would play "Texas Our Texas."

ADJOURNMENT

At the conclusion of the rendition by the Longhorn Band, the President Pro Tempore announced that the purpose of the Joint Session having been accomplished, the Senate at 12:41 o'clock p.m. would stand adjourned until 10:00 o'clock a.m. tomorrow on motion previously adopted by the Senate.

FIFTH DAY

(Wednesday, January 17, 1979)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Absent-excused: Ogg.

A quorum was announced present.

Chaplain Gerald Mann, University Baptist Church, Austin, offered the invocation as follows:

Our Father, may we find the courage to face this day by remembering that if there were nothing wrong in this world, we'd have nothing to do. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Ogg was granted leave of absence for today on account of important business on motion of Senator Braecklein.

MESSAGE FROM THE HOUSE

House Chamber
January 17, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT
THE HOUSE HAS PASSED THE FOLLOWING:

H.C.R. 6, Inviting the Chief Justice to address a joint session of the House
and the Senate.

S.C.R. 6, Honoring Dr. Dorothy Patras.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORTS OF STANDING COMMITTEES

Senator Jones of Harris submitted the following report for the Committee
on Administration:

S.C.R. 3

Senator Jones of Taylor submitted the following report for the Committee
on Finance:

S.B. 132

C.S.S.B. 133 (Read first time)

SENATE RESOLUTION 17

(Caucus Report)

Senator Moore offered the following resolution:

Honorable William P. Hobby
Lieutenant Governor
Senate of Texas
Austin, Texas

Sir:

At a Caucus held in the office of the Senate on January 15, 1979, attended
by 31 members of the Senate, the following recommendations were made, to wit:

The following officer was elected to serve for the 66th Legislature, Regular
Session, at the will of the Senate:

Sergeant-at-Arms - Kelly Arnold

It is further recommended that each Senator shall be permitted to employ
additional staff, not to exceed a cost of \$848.00 per month, effective February 1,
1979, under the classification schedule adopted by Senate Resolution No. 1, 66th
Legislature, Regular Session.

Respectfully submitted,

WILLIAM T. (BILL) MOORE
Chairman of the Caucus

W. E. (PETE) SNELSON
Secretary of the Caucus

The resolution was read and was adopted.

OATH OF OFFICE ADMINISTERED

The President then administered the Oath of Office to Kelly Arnold as Sergeant-at-Arms.

SENATE CONCURRENT RESOLUTION 10

Senator Braecklein offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That the Senate and the House meet in Joint Session in the Hall of the House of Representatives at 11:00 a.m., Tuesday, January 23, 1979; and, be it further

RESOLVED, That His Excellency, William P. Clements, Jr., Governor of the State of Texas, be, and is hereby, invited to address the Regular Session of the 66th Legislature in Joint Session at this time.

The resolution was read.

On motion of Senator Braecklein and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE CONCURRENT RESOLUTION 11

Senator Jones of Harris offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That in compliance with Article 3, Section 17 of the Constitution of the State of Texas, either house is hereby granted permission to adjourn from Wednesday, January 17, 1979, to Monday, January 22, 1979.

The resolution was read.

On motion of Senator Jones of Harris and by unanimous consent, the resolution was considered immediately and was adopted.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the adoption of the resolution.

PRESENTATION OF GUEST

The President recognized Senator Truan who introduced to the Members of the Senate The Honorable Ben F. McDonald, Jr., retiring Executive Director of the Department of Community Affairs.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled resolution:

S.C.R. 6**COMMUNICATION FROM TEXAS EDUCATION AGENCY**

The following Communication from The Texas Education Agency was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Mrs. Betty King
Secretary of the Senate
Capitol Building
Austin, Texas 78711

Dear Mrs. King:

I am submitting to you for confirmation by the Senate the following appointments to The Advisory Council for Technical-Vocational Education in Texas.

Gerald Brown
Texas Industrial Commission
Sam Houston Building
Austin, Texas 78701

Mr. Brown will replace James H. Harwell in the membership category of one member representing state, industrial and economic development agencies.

Wayne Matthews
Southwest Texas Junior College
Uvalde, Texas 78801

Mr. Matthews will replace Dr. J. R. Jackson in the membership category of one member representing community or junior colleges.

These appointments were recommended by Governor Briscoe and approved by the State Board of Education on January 13, 1979, in compliance with Section 31.12 of the Texas Education Code.

Each appointment will be to fill an unexpired three-year term to end on August 31, 1979.

Very truly yours,

/s/M. L. Brockette
Commissioner of Education

REPORT OF STANDING COMMITTEE

Senator McKnight submitted the following report for the Subcommittee on Nominations:

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR SESSION:

We, your Subcommittee on Nominations, to which were referred the attached appointments, have had same under consideration and beg to report them back to the Senate with the recommendation that they be confirmed.

To be COMMISSIONER OF THE RAILROAD COMMISSION OF TEXAS: James E. Nugent, Kerr County.

To be a Member of the TEXAS EMPLOYMENT COMMISSION: Kenyon F. Clapp, Bell County.

To be Members of the BOARD OF TRUSTEES, TEACHER RETIREMENT SYSTEM OF TEXAS: Lee R. Williamson, Wichita County; Edward H. Wicker, Bee County.

To be Members of the TEXAS REHABILITATION COMMISSION: Murray Watson, McLennan County; Jess M. Irwin, Jr., Travis County.

To be a Member of the TEXAS COMMISSION ON THE ARTS AND HUMANITIES: Leon P. Gilvin, Randall County.

To be a Member of the COMMISSION ON JAIL STANDARDS: Albert G. Bustamante, Bexar County.

To be a Member of the BOARD OF REGENTS, UNIVERSITY OF HOUSTON: Joel M. Cummings, Harris County.

To be Members of the BOARD OF REGENTS, TEXAS A & M UNIVERSITY: Clyde H. Wells, Hood County; Norman Moser, Bowie County; Royce Wisenbaker, Smith County.

To be Members of the TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS: David H. Brune, Tarrant County; James D. Dannenbaum, Harris County.

To be a Member of the TEXAS EMPLOYMENT COMMISSION: A. C. Shirley, Travis County.

To be Members of the TEXAS INDUSTRIAL COMMISSION: Jim S. Sale, Dallas County; Ray Clymer, Wichita County.

To be a Member of the TEXAS BOARD OF MENTAL HEALTH AND MENTAL RETARDATION: A. L. Mangham, Jr., Nacogdoches County.

To be a Member of the TEXAS BOARD OF HEALTH: E. Jack Brown, Lubbock County.

To be a Member of the TEXAS AIR CONTROL BOARD: Dr. Otto R. Kunze, Brazos County.

To be a Member of the TEXAS ANIMAL HEALTH COMMISSION: James D. Sartwelle, Sr., Austin County.

To be a Member of the BOARD OF REGENTS, UNIVERSITY OF HOUSTON: James A. Elkins, Jr., Harris County.

To be a Member of the TEXAS BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES: G. William Rider, Galveston County.

To be a Member of the COMMISSION ON JAIL STANDARDS: Fidencio G. Garza, Jr., Brooks County.

To be a BRANCH PILOT, MATAGORDA SHIP CHANNEL: Captain Steve Gibson, Calhoun County.

To be a Member of the BOARD OF REGENTS, PAN AMERICAN UNIVERSITY: William R. Parker, Jr., Harris County.

To be a Member of the BOARD OF REGENTS, TEXAS TECH UNIVERSITY: Lee Stafford, Lubbock County.

To be a Member of the BOARD OF REGENTS, TEXAS STATE TECHNICAL INSTITUTE: H. W. "Pete" Monzingo, Val Verde County.

To be a Member of the BOARD OF REGENTS, WEST TEXAS STATE UNIVERSITY: Tully R. Currie, Potter County.

To be a Member of the ADVISORY COUNCIL ON YOUTH CAMP SAFETY: Olen S. Miles, Travis County.

To be Members of the TEXAS WATER WELL DRILLERS BOARD: Murray Don McKinley, Sr., Frio County; Richard B. Holton, Hansford County.

To be a Member of the VETERANS LAND BOARD: Henry Hilliard Cannady, Jefferson County.

To be a Member of the VETERANS AFFAIRS COMMISSION: Joe L. Matthews, Tarrant County.

To be a Member of the BOARD OF DIRECTORS, UPPER NECHES RIVER MUNICIPAL WATER AUTHORITY: C. L. Hamilton, Anderson County.

To be Members of the BOARD OF DIRECTORS, UPPER COLORADO RIVER AUTHORITY: Homer J. Hodge, Runnels County; Victor Wayne Choate, Tom Green County; William H. Allen, Coke County.

To be Members of the ADVISORY COUNCIL FOR TECHNICAL-VOCATIONAL EDUCATION IN TEXAS: Mario Yzaguirre, Cameron County; D. L. Willis, Midland County; Ms. Sherry L. Townsend, Denton County; Dr. Milton J. Schiller, McLennan County; Victor Rodriguez, Bexar County; Ms. Dorothy R. Robinson, Anderson County; James Martin, Tarrant County; Ms. Mary Mahoney, Brazos County.

To be a Member of the STATEWIDE HEALTH COORDINATING COUNCIL: Mrs. C. V. (Esther) Rice, Galveston County.

To be Members of the RUNNELS COUNTY WATER AUTHORITY BOARD: George A. Ruppert, Runnels County; Barney C. Puckett, Runnels County; James J. Mueller, Runnels County; Charles Thomas Boecking, Runnels County.

To be Members of the BOARD OF DIRECTORS, UPPER GUADALUPE RIVER AUTHORITY: Harry Schwethelm, Kerr County; Guy Cade Jackson, Jr., Kerr County; Frank Harrison, Kerr County.

To be Members of the STATE RURAL MEDICAL EDUCATION BOARD: Mrs. Billie Marie Veach, Burnet County; Dr. Edwin W. Schmidt, Reeves County.

To be Members of the POLYGRAPH EXAMINERS BOARD: Travis E. Knowlton, Harris County; James E. Hood III, Dallas County.

To be a Member of the BOARD OF DIRECTORS, NUECES RIVER AUTHORITY: Gen. John W. White, Uvalde County.

To be Members of the LOWER CONCHO RIVER WATER AND SOIL CONSERVATION AUTHORITY: Benjamin Orland Sims, Concho County; Scott L. Hartgrove, Concho County; Emmett H. Brosig, Jr., Concho County.

To be Members of the TEXAS ADVISORY COUNCIL OF THE LEGAL SERVICES CORPORATION: Lewis T. Sweet, Jr., Dallas County; Brett A. Ringle, Dallas County; Jack B. Miller, San Saba County; J. E. Middleton, Sr., Harris County; Dean M. Kilgore, Travis County; Kenneth L. Greer, Jr., Tom Green County; David Escobar, El Paso County; L. Clifford Davis, Tarrant County.

To be Members of the BOARD OF DIRECTORS, LAVACA COUNTY FLOOD CONTROL DISTRICT NO. 3: Robert Joseph Pesek, Lavaca County.

To be Members of the TEXAS JUDICIAL COUNCIL: A. M. Vogel, Harris County; Harold Hudson, Ochiltree County; Judge Ross E. Doughty, Jr., Uvalde County.

To be Members of the HOSPITAL LICENSING ADVISORY COUNCIL: Sidney M. Wieser, Lampasas County; Mrs. Marcella V. Henke, Lavaca County; Dr. Van Goodall, Bosque County.

To be a Member of the BOARD OF DIRECTORS, EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT: Charles H. Freeman, Jr., Wilson County.

To be Members of the DISTRICT REVIEW COMMITTEES: Dr. Phillip E. Williams, Jr., Dallas County; Dr. Arthur Milton Jansa, Sr., Harris County; Dr. Joaquin B. Gonzalez, Bexar County; Dr. Grant F. Begley, Tarrant County.

To be Members of the BOARD OF TRUSTEES, TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM: Clinton W. Uhr, Bexar County; Clyde Anderson, El Paso County; Paul Hopkins, Galveston County; Norment Foley, Uvalde County; J. C. Duvall, Tarrant County.

To be Members of the COMMISSION ON SERVICES TO CHILDREN AND YOUTH: Mrs. Eleanor Tinsley, Harris County; Ms. Susan Roach, Potter

County; Ms. Laurie Myers, Lubbock County; Don Haggerton, Jr., Kleberg County.

To be Members of the BOARD OF DIRECTORS, CENTRAL COLORADO RIVER AUTHORITY: Bill D. Sneed, Coleman County; Louis Pittard, Coleman County, Ralph M. Edens, Coleman County.

To be Members of the COMMISSION FOR THE BLIND: Charles Sapp, Harris County; Walter Musler, Bexar County.

To be a Member of the BOARD OF DIRECTORS, ANGELINA AND NECHES RIVER AUTHORITY: Chester H. Moore, Angelina County.

To be Member and Chairman of the GOVERNOR'S COMMITTEE ON AGING: Alton O. Bowen, Travis County.

To be DISTRICT JUDGE OF THE 57TH JUDICIAL DISTRICT: John G. Yates, Bexar County.

To be CRIMINAL DISTRICT ATTORNEY FOR BRAZORIA COUNTY: Doyle W. Neighbours, Brazoria County.

To be DISTRICT ATTORNEY FOR THE 66TH JUDICIAL DISTRICT: Neal Thomas Jones, Jr., Hill County.

To be a Member of the METRIC SYSTEM ADVISORY COUNCIL: Tom E. Elliott, Lubbock County.

To be a Member of the TEXAS CONSERVATION FOUNDATION: Robert R. Norris, Lubbock County.

To be Members of the BOARD OF TRUSTEES, MUNICIPAL RETIREMENT SYSTEM: Jerry H. Hodge, Potter County; Ernest M. Briones, Nueces County; George Dibrell, Jefferson County.

To be a Member of the TEXAS JUDICIAL COUNCIL: Judge William J. Cornelius, Bowie County.

On motion of Senator McKnight and by unanimous consent, all necessary rules were suspended in order to consider the nominations reported today by the Subcommittee on Nominations.

NOMINEES CONFIRMED

Senator McKnight moved that those nominees reported today by the Subcommittee on Nominations be confirmed.

The nominees were confirmed by the following vote: Yeas 29, Nays 0.

Absent: Price

Absent-excused: Ogg.

**COMMITTEE SUBSTITUTE SENATE BILL 133 ON SECOND
READING**

On motion of Senator Farabee and by unanimous consent, Senate Rules 12, 68, and 74 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 133, relating to supplemental appropriations to the First Court of Civil Appeals, the Fifth Court of Civil Appeals and the Fourteenth Court of Civil Appeals. (Submitted by Governor as an emergency).

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 133 ON THIRD
READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 133** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Price.

Absent-excused: Ogg.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Ogg.

AT EASE

The President announced at 10:29 o'clock a.m. that the Senate would stand At Ease pending receipt of a Message from the Governor.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 11:10 o'clock a.m.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
January 17, 1979

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE EXECUTIVE DIRECTOR OF THE TEXAS DEPARTMENT OF
COMMUNITY AFFAIRS:

For a term at the pleasure of the Governor:

MR. OMAR HARVEY of Dallas, Dallas County, is replacing Mr. Ben McDonald of Austin, Travis County, whose term expired.

Respectfully submitted,

/s/William P. Clements, Jr.
Governor of Texas

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read:

Austin, Texas
January 17, 1979

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE SECRETARY OF STATE:

For a term at the pleasure of the Governor:

MR. GEORGE W. STRAKE, JR. of Houston, Harris County, is replacing Mr. Steven C. Oaks of Houston, Harris County, whose term expired.

TO BE ADJUTANT GENERAL OF TEXAS:

For a two-year term to expire January 16, 1981:

BRIGADIER GENERAL WILLIE L. SCOTT of Austin, Travis County is replacing General Thomas S. Bishop of Austin, Travis County, whose term expired.

Respectfully submitted,

/s/William P. Clements, Jr.
Governor of Texas

NOMINEES CONFIRMED

Senator McKnight moved that all necessary rules be suspended to consider and confirm the appointments of George W. Strake, Jr., to be Secretary of State, and Brigadier General Willie L. Scott to be Adjutant General of Texas.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Ogg.